

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1216**

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**Introduced by Assembly Member Evans**

February 27, 2009

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An act to amend Section 29413 of the Food and Agricultural Code, relating to honey.

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, as amended, Evans. Honey.

Existing law defines “honey” for purposes of those provisions of law that regulate the content, labeling, and container standards of honey.

This bill would ~~make a technical, nonsubstantive change to that definition~~ *establish a new definition of honey for these purposes, including new technical standards, as specified, the violation of which would be a crime under other provisions of law.*

*By creating a new crime, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 29413 of the Food and Agricultural Code is amended to read:

29413. “Honey” means the nectar of floral exudations of plants gathered and stored in the comb by honeybees. Honey is a levorotatory, contains not more than 20 percent of water, not more than 25 one hundredths of 1 percent of ash, not more than 8 percent of sucrose, its specific gravity is not less than 1.412, its weight not less than 11 pounds, 12 ounces per standard gallon of 231 cubic inches at 68 degrees Fahrenheit. *natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes, and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous, or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant’s origin. Honey sold as such shall not have added to it any food additives, nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization. Honey shall meet the following standards:*

(a) Honey shall not have a moisture content exceeding 23 percent. No water may be added to honey in the course of extraction or packing for sale or resale as honey.

(b) The ratio of fructose to glucose shall be greater than 0.9. Sucrose content shall not exceed 10 percent, except for lavender (*Lavandula*) or borage (*Borago officinalis*) which may contain up to 15 percent sucrose. Maltose content shall not exceed 10 percent.

(c) The absolute value of Carbon Stable Isotope Ratio Analysis shall be more negative than -20.0.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty

1 *for a crime or infraction, within the meaning of Section 17556 of*  
2 *the Government Code, or changes the definition of a crime within*  
3 *the meaning of Section 6 of Article XIII B of the California*  
4 *Constitution.*

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